

Minutes of the November 20, 1998 Board Meeting
City Council Chambers
25541 Barton Road
Loma Linda

1. Regional Board Chair Henriques called the meeting to order at 9:00 a.m.

BOARD MEMBERS PRESENT

BOARD MEMBERS ABSENT

Melody Henriques, Chair
Karen Stein Vice-Chair
Jerry A. King
Evelyn Hart
John Withers
Maurice Gallarda
Rodger Siems

STAFF MEMBERS PRESENT

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Joanne E. Schneider, Environmental Program Manager
Karen White, Executive Assistant
Hope Smythe, Chief, Planning Section
Scott Dawson, Environmental Specialist III, Planning Section
Dixie Lass, Chief, Landfill Section
Keith Person, Sanitary Engineering Associate, Landfill Section
Reza Akhtarshad, Sanitary Engineering Associate, Landfill Section
Robert Holub, Chief, Dairies and Spills, Leaks Investigations and Cleanup (SLIC) Section
Kenneth R. Williams, Chief, Pollutant Investigations Section
Leslie Alford, Associate Engineering Geologist, Pollutant Investigations Section

LEGAL COUNSEL

Ted Cobb, State Water Resources Control Board

STATE BOARD REPRESENTATIVE

Mary Jane Forster

PUBLIC IN ATTENDANCE

Bob Scott, Woodward Clyde Consultants
Pat Kilroy, City of Lake Elsinore
Dan Arrigmi, SGVW Co.
Don Newcombe, Milk Producer's Council
Calvin Hobbs, CH Group, Inc.
John Borges, Western United Dairymen
Bob Magee, GroWest
Tina Twing, Co. of San Bernardino Planning Dept.
Eleanor Ford
Katherine O'Connor, Orange County Water District
Bob Feenstra, Milk Producer's Council
Nathan deBoom, Milk Producer's Council
Thomas H. McPetery, Fontana Union Water Co.

Kenneth Flooms, IRC, Inc.
Jack Nelson, Yucaipa Valley Water District
Michael Perry, City of Big Bear

3. Approval of minutes of Regular Meeting of October 9, 1998

There being no additions or corrections, the minutes of the regular meeting held on October 9, 1998, were approved, as presented.

4. Consideration of Consent Calendar Items

Item No. 9, New Waste Discharge Requirements for Franklin J. Chong, dba Ontario Worm Farm, San Bernardino County, Order No. 98-109, was pulled from the agenda.

Item No. 12, Revised Waste Discharge Requirements for Synagro Inc., Corona, Riverside County, Order No. 98-103, was removed from the consent calendar.

Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Subsurface Disposal System Use – Kim Spangler, 5528 Morning Star Drive, Rancho Cucamonga, San Bernardino County

Amendment of Cease and Desist Order for the City of Rialto, Rialto, San Bernardino County, Order No. 98-110

New Waste Discharge Requirements for the C. H. Group dba Southland Bio-Tech Corporation, Vermicomposting Facility, Riverside County, Order No. 98-97, with errata sheet.

Supplemental Waste Discharge Requirements for Municipal Solid Waste Landfills within the Santa Ana Region, Order No. 98-99.

Action: It was moved by Board Member King and unanimously carried to grant the appeal for Kim Spangler of San Bernardino County, and to adopt Order Nos. 98-110, 98-97, and 98-99, as presented.

There were six affirmative votes on Item No. 8, Order No. 98-110, for the City of Rialto.

5. Resolution of Appreciation to Warren Bain – Resolution No. 98-108

Bruce Paine, Chief, Investigations Section, presented Resolution No. 98-108 to Warren Bain in recognition of his exemplary assistance in referring investigation cases to Regional Board staff.

Action: It was moved by Board Member King, seconded by Board Member Siems, and unanimously carried to adopt Resolution No. 98-108, as presented.

6. Orange County Water District, Inland Empire Utilities Agency, Co-composting Facility Support Program

William G. Mills, General Manager of Orange County Water District, presented this item, with the assistance of Rob Quincy, General Manager of the Inland Empire Utilities Agency. Mr. Mills began the presentation by enumerating waste management strategies implemented by local agencies to prevent further degradation of groundwater in the Santa Ana Region. Next, he addressed the dairy waste management strategy developed by Orange County Water District to reduce the amount of salt that is discharged to the groundwater basin by manure from the dairies in the Chino Basin. Mr. Mills stated that the District is concerned with the salt that impacts their recharge water (i.e., Santa Ana River) and the cost that will be incurred to remove salt and nitrate to meet water standards. To address these concerns and expenses, Mr. Mills reviewed a three-

prong approach and talked about the various benefits of Orange County Water District's support of the co-composting facility. Mr. Mills answered questions from the Board.

Mr. Quincy discussed the co-composting facility operated by Inland Empire Utilities Agency, designed to remove manure from the watershed. He stated that before the Orange County Water District's support, the facility was operating at less than 50% capacity. Currently, the facility operations have increased dramatically in response to this change. Mr. Quincy also talked about how the Orange County Water District's subsidy to reduce the manure tipping fee at the co-composting facility will result in exporting more manure from the Basin.

In conclusion, Mr. Mills talked about foregoing regulatory strategies of the Regional and State Board to develop dairy management strategies and the Districts' interests in participating in these programs.

13. Dairy Update

Robert Holub, Chief, Dairies and Spills, Leaks, Investigations and Cleanup (SLIC) Section, presented this item. He began by an overview of the dairy regulatory program and its goals. The Regional Board issued a general NPDES permit to dairy facilities in 1994, to streamline the regulatory process and include federal storm water regulations. Mr. Holub stated that the general permit will expire on March 1, 1999, and noted that staff is preparing a renewal permit for consideration by the Regional Board. Staff is organizing a dairy workshop for the March 5, 1999, meeting to address a tentative draft general permit. Mr. Holub reviewed possible topics for discussion at the workshop that include inadequate control of wastewater discharges, excessive manure application, and enforcement actions for noncompliance. Based on input received at the workshop, staff will present a draft permit for consideration by the Board at the April 9, 1998, meeting. He also expressed concerns with the limited staff resources in the dairy section and the inability to effectively implement the dairy regulatory program. Mr. Holub answered questions from the Regional Board.

Comments were provided by the following:

Robert Feenstra, Milk Producers Council, talked briefly about the educational programs designed for dairymen to address the ongoing concerns in the Chino Basin. He also thanked Executive Officer Thibeault and the Regional Board Members for working with the Council to arrive at best solutions to address problems in the dairy community.

Lindall Marsh, Santa Ana River Watershed (SARW) Group, presented an overview of the SARW Group and talked about future goals, participants and funding.

14. Toxic Hotspot Cleanup Plan – Order No. 98-107

Information pertaining to this item is contained in a verbatim transcript.

Scott Dawson, Environmental Specialist III, Planning Section, introduced this item. He then asked Brian Anderson from U. C. Santa Cruz, to review the scientific methods used to collect data for the Toxic Hotspot Cleanup Plan.

Action: It was moved by Board Member Hart and unanimously carried to adopt Order No. 98-107, as presented.

10a. Waste Discharge Requirements for the U. S. Army Corps of Engineers, Newport Bay Dredging Project, Order No. 98-113

Executive Officer Thibeault recommended adoption of the proposed order.

Action: It was moved by Board Member King and unanimously carried to adopt Order No. 98-113, as presented.

12. Revised Waste Discharge Requirements for Synagro Inc., Corona, Riverside County – Order No. 98-103

Executive Officer Thibeault stated that this item was agendized to change the facility name. However, due to additional findings it has been removed from the agenda for Board consideration. Mr. Thibeault requested Reza Akhtarshad, Sanitary Engineering Associate, Landfill Section, to apprise the Regional Board of findings relative to recent site characterization work.

Mr. Akhtarshad stated that at the April 17, 1998, meeting, the Regional Board requested an investigation report concerning the Recyc, Inc., Temescal Canyon Composting facility located in Riverside County. The report findings showed the Liston Pit to be incompetent as a surface impoundment, and determined that Title 27 Requirements had not been adequately addressed. Therefore, staff recommended that the Liston Pit be lined or decommissioned as a surface impoundment.

Bob Scott, Woodward Clyde Consultants, contended that the report is not conclusive as to whether the materials underlying the Liston Pit are competent and additional investigation is required to evaluate the nature of the underlying material.

Executive Officer Thibeault stated that staff will proceed with the name change as requested by the discharger. In addition, staff will work with the discharger to find appropriate solutions to address the unknowns related to the Liston Pit. Upon completion of this task, Mr. Thibeault indicated that this item will be agendized for Board consideration at a future meeting.

15. Waste Discharge Requirements and NPDES Permits for San Bernardino County Waste System Division, Mid-Valley Sanitary Landfill (NPDES No. CA8000381), Order No. 98-95

Information pertaining to this item is contained in a verbatim transcript.

Assistant Executive Officer Berchtold summarized activities of the October 9, 1998, meeting related to the proposed permit. Next, he reviewed the revised tentative order noting significant changes proposed by Regional Board staff and the discharger.

Comments were provided by the following:

Gerry Newcombe, County of San Bernardino Waste System Division
Gary Lass, Geologic Associates
Terry Cook, Fontana Water Resources

Action: It was moved by Board Member Hart and unanimously carried to adopt Order No. 98-95, as presented.

Board Member Hart requested a copy of the Azuza Landfill permit.

16. Cleanup and Abatement Order No. 98-112, McWhirter Real Estate and Investment Company, Big Bear Texaco, City of Big Bear Lake, San Bernardino County

Information pertaining to this item is contained in a verbatim transcript.

Ken Williams, Chief, Pollution Investigations Section, presented the staff report.

Comments were provided by the following:

Mike Perry, General Manager of the Department of Water and Power, City of Big Bear Lake
Duke Peters, Attorney representing McWhirter Real Estate and Investment Company
Dr. Joshua Ong, Consultant for the City of Big Bear Lake

Action: It was moved by Board Member Withers and unanimously carried to adopt Cleanup and Abatement Order No. 98-112, as presented.

The motion passed with five affirmative votes.

17. Election of Regional Board Officers for 1999

Board Member Gallarda reported the committee's recommendation to nominate Board Member Karen Stein as Chair and Board Member John Withers as Vice Chair for 1999.

Action: It was moved by Board Member Siems, seconded by Board Member Hart and unanimously carried to accept the nominees, as presented, for Regional Board Officers for 1999.

18. Board Meeting Dates and Locations for 1999

Action: It was moved by Board Member Withers and unanimously carried to adopt the Board Meeting Dates and Locations for 1999.

19. General Permits

The Board accepted the report as received.

20. Hazardous Waste and Sewage Spill Incident Report

The Board accepted the report as received.

21. Executive Officer's Report (information item).

Executive Officer Thibeault read into the record a letter received from the U. S. Attorney General's Office, Douglas Noble, Attorney General, commending Environmental Program Manager Joanne Schneider, for providing technical expertise and assistance in the Defend the Bay case.

22. ADJOURNMENT

Regional Board Chair Henriques adjourned the meeting at 2:40 p.m., to the Special Meeting scheduled for December 11, 1998, at the City Council Chambers of Newport Beach.

Respectfully submitted:

Gerard J. Thibeault
Executive Officer

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